No	Approved
	Date

ORDER ON THE ABANDONMENT OF A PORTION OF COLORADO ROAD JB, LLC, PETITIONER

In the matter of the abandonment of a portion of Colorado Road described on Exhibit A attached hereto, it appearing that due notice by advertisement and as described below, has been made in accordance with the provisions of Chapter 6 of Title 24, General Laws 1956 and all amendments and additions thereto, and after giving opportunity to the owners of land abutting upon the hereinafter described portion of Colorado Road to speak for or against such abandonment and as to the damage, if any, they shall sustain thereby, and after due consideration thereof, it is hereby

ORDERED

- 1. That the portion of Colorado Road described on Exhibit A attached hereto be abandoned for the reason that said premises have ceased to be useful to the public as a highway or driftway.
- 2. That it is the judgment of the City Council of Warwick that no owner of land abutting on that portion of Colorado Road has suffered any damage because of such abandonment, and for this reason the City Council awards no compensation to said abutting owners.
- 3. That signs shall be placed at each end of that portion of Colorado Road having thereon the words "NOT A PUBLIC HIGHWAY".
- 4. That notice of this order shall be advertised in a newspaper of general circulation, printed in English, and further that personal notice of same shall be served upon every owner of land abutting upon that portion of Colorado Road as herein described who is known to reside in this State.
- 5. That the City Clerk be and she is hereby authorized and directed to cause notice to be given in accordance with the provisions hereof, and the Highway Department is hereby authorized and directed to erect and place signs referred to herein.
- 6. The City of Warwick hereby reserves for itself, its successors and assigns, a perpetual easement over and under the abandoned portion of Colorado Road for the purpose of constructing, installing, repairing and replacing of utilities, sewers, drains and for any other purposes.
- 7. Petitioner shall prepare an administrative subdivision for City Assessor's Plat 282, Assessor's Lots 75, 162, & 196 along with the portion of land acquired by the State of RI meeting the standards set forth in the "Development Review Regulations Governing Subdivisions, Land Development Projects and Development Plan Review" must be completed by the Applicant and recorded within 120 days of final passage of this Order of Abandonment. Any

proposed improvements shall require all applicable local or state permits.

8. Pursuant to R.I.G.L. 24-6-1 and Sec. 1-13 of the Code of Ordinances, an appraisal of the fair market value of the abandoned roadway was conducted and based upon that appraisal the Petitioner shall pay \$31,500.00 to the City of Warwick.

Entered as an Order of the City Council this 18th day of July, 2016.

SPONSORED BY: COUNCILWOMAN VELLA-WILKINSON

COMMITTEE: LAND USE

PETITION FOR ABANDONMENT OF A PORTION OF COLORADO AVENUE

To the Honorable City Council of the City of Warwick

JB LLC, a Rhode Island Limited Liability Company having a principal place of business in the City of Warwick, State of Rhode Island, brings this petition and respectfully represents as follows:

FIRST: Your petitioner is the record owner of land abutting upon the northerly and southerly lines of that portion of Colorado Avenue in said City of Warwick which is outlined in red on the sketch hereto attached, which sketch is a copy of a portion of that plat entitled ""WARWICK, RI STREET ABANDONMENT / ADMINISTRATIVE SUBDIVISION PREPARED FOR JB, LLC CLASS 1 SURVEY OF A.P. 282 LOTS 162, 75, 196 & A PORTION OF COLORADO AVENUE BY MLC SURVEYING, INC. 450 GEO. WASH. HWY. SMITHFIELD, RI (401) 232-1990 JEFFERSON BLVD., MALBONE STREET, LINCOLN AVE. & COLORADO AVE. ZONE – GI APRIL 10, 2009", said portion of Colorado Avenue to be abandoned being hereinafter referred to as the "Premises". The premises are bounded and described as follows:

Plat No	282	
Lot (s) No	o. <u>162,75,196</u>	
Ward No.	3.1	

That certain lot or parcel of land with all buildings and improvements thereon, located on the easterly line of Jefferson Blvd., the northerly line of Colorado Ave. and the westerly line of Lincoln Ave. located in the City of Warwick, County of Kent, State of Rhode Island and bounded and described as follows:

Beginning at the intersection of the easterly line of Jefferson Blvd. and the northerly line of Colorado Ave., an undeveloped street, at a point opposite and (50.00) feet right of baseline station 115+25.00 on Rhode Island Highway Plat No. 1070, said point also being the northwest corner of the herein described parcel;

Thence: Running southerly along said easterly line of Jefferson Blvd. (40.69) feet;

Thence: Turning an angle to the right of 90°01'42" and running easterly along the southerly line of Colorado Ave. (136.52) feet to the westerly line of Lincoln Ave.;

Thence: Turning an angle to the right of 49°13'13" and running northerly along the westerly line of Lincoln Ave (53.80) feet to the northerly line of Colorado Ave.;

Thence: Turning an angle to the right of 130°45'05" and running westerly along northerly line of Colorado Ave. (101.40) feet to the point and place of beginning and forming an angle to the right of 90°00'00" with the first course and containing (4,844) square feet of land more or less.

Meaning and intending to describe the parcel labeled "4,844 SF .11 AC. A PORTION OF COLORADO AVE. TO BE ABANDONED AND ADDED TO RECORD LOT 1" on that plan entitled:

"WARWICK, RI STREET ABANDONMENT / ADMINISTRATIVE SUBDIVISION PREPARED FOR JB, LLC CLASS 1 SURVEY OF A.P. 282 LOTS 162, 75, 196 & A PORTION OF COLORADO AVENUE BY MLC SURVEYING, INC. 450 GEO. WASH. HWY. SMITHFIELD, RI (401) 232-1990 JEFFERSON BLVD., MALBORNE STREET, LINCOLN AVE. & COLORADO AVE. ZONE – GI APRIL 10, 2009"

SECOND: The Premises are of no use to the public as a highway or driftway.

<u>THIRD</u>: If the Premises be abandoned by order of this Honorable City Council, your petitioner will be able to effect, if it should prove economically desirable for it to effect, expansion of its retail store situated on the lot abutting the Premises on the southerly side thereof.

WHEREFORE, your petitioner files this petition and prays that this Honorable City Council, pursuant to authority vested in it by Chapter 214-6 of the General Laws of Rhode Island, 1956, as amended, declare the premises to have ceased to be useful to the public and enter and order abandoning the same as a public highway or driftway.

JB LLC

By its Attorney,

Daniel K. Flaherty, Esq. #2466

33 College Hill Road, Suite 20D

Warwick, RI 02886 (401) 822-1800 ext. 213

(401) 822-1879 Fax

LEGAL DESCRIPTION

That certain lot or parcel of land with all buildings and improvements thereon, located on the easterly line of Jefferson Blvd., the northerly line of Colorado Ave. and the westerly line of Lincoln Ave. located in the City of Warwick, County of Kent, State of Rhode Island and bounded and described as follows:

Beginning at the intersection of the easterly line of Jefferson Blvd. and the northerly line of Colorado Ave., an undeveloped street, at a point opposite and (50.00) feet right of baseline station 115+25.00 on Rhode Island Highway Plat No. 1070, said point also being the northwest corner of the herein described parcel;

Thence: Running southerly along said easterly line of Jefferson Blvd. (40.69) feet;

Thence: Turning an angle to the right of 90°01'42" and running easterly along the southerly line of Colorado Ave. (136.52) feet to the westerly line of Lincoln Ave.;

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Thence: Turning an angle to the right of 130°45'05" and running westerly along northerly line of Colorado Ave. (101.40) feet to the point and place of beginning and forming an angle to the right of 90°00'00" with the first course and containing (4,844) square feet of land more or less.

Meaning and intending to describe the parcel labeled "4,844 SF .11 AC. A PORTION OF COLORADO AVE. TO BE ABANDONED AND ADDED TO RECORD LOT 1" on that plan entitled:

"WARWICK, RI STREET ABANDONMENT / ADMINISTRATIVE SUBDIVISION PREPARED FOR JB, LLC CLASS 1 SURVEY OF A.P. 282 LOTS 162, 75, 196 & A PORTION OF COLORADO AVENUE BY MLC SURVEYING, INC. 450 GEO. WASH. HWY. SMITHFIELD, RI (401) 232-1990 JEFFERSON BLVD., MALBORNE STREET, LINCOLN AVE. & COLORADO AVE. ZONE – GI APRIL 10, 2009"

STEPHENT LONG

No. 1930

1930

AND SURVEYORY



CITY OF WARWICK

Planning Department 3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

Honorable Donna Travis, Council President

and Warwick City Council Members

Judy Wild, City Clerk

FROM:

William DePasquale, Jr., AICP, Planning Director

DATE:

May 13, 2016

Subject:

Street Abandonment

Portion of Colorado Avenue

Abutting 200 Jefferson Boulevard

Assessors Plat: 282, Assessor's Lots 75, 162, and 196

(See Attached Plans)

Applicant:

JB LLC

Background

The Applicant is requesting an abandonment of a portion of Colorado Avenue to accommodate access, parking/isle, and landscaping encroachments across the paper street. The premises are of no use to the public as a highway or drift-way. Additionally, the Applicant is in the process of acquiring a portion of abutting State property to incorporate into the existing parcel.

The City's Water Division, Fire Department, Police Department, Tax Assessor, Tax Collector, Conservation Commission, Historic District Commission, Land Trust, and the Historic Cemetery Commission have reviewed the abandonment and have no objection to the proposed abandonment.

The City's Engineering Division and Sewer Authority have no objection to the proposed abandonment with the stipulation that the City maintain the perpetual right to use any or all of the abandonment for the installation of utilities as may be needed in the future.

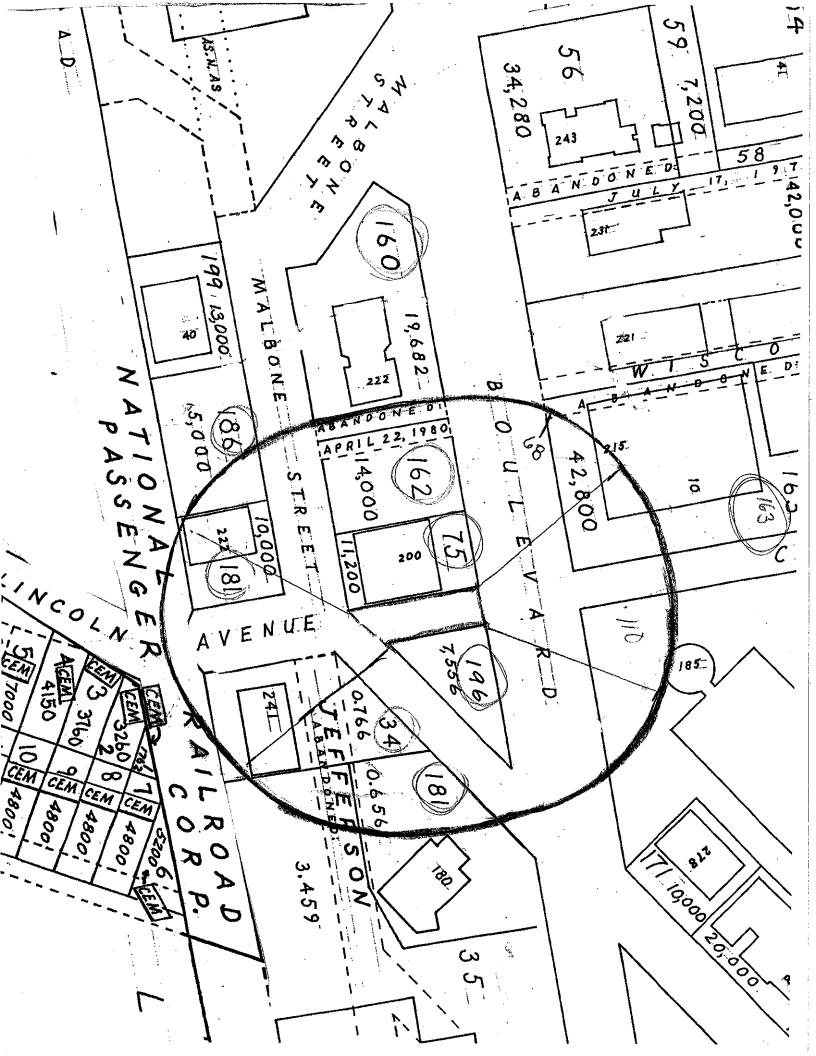
Planning Board Meeting

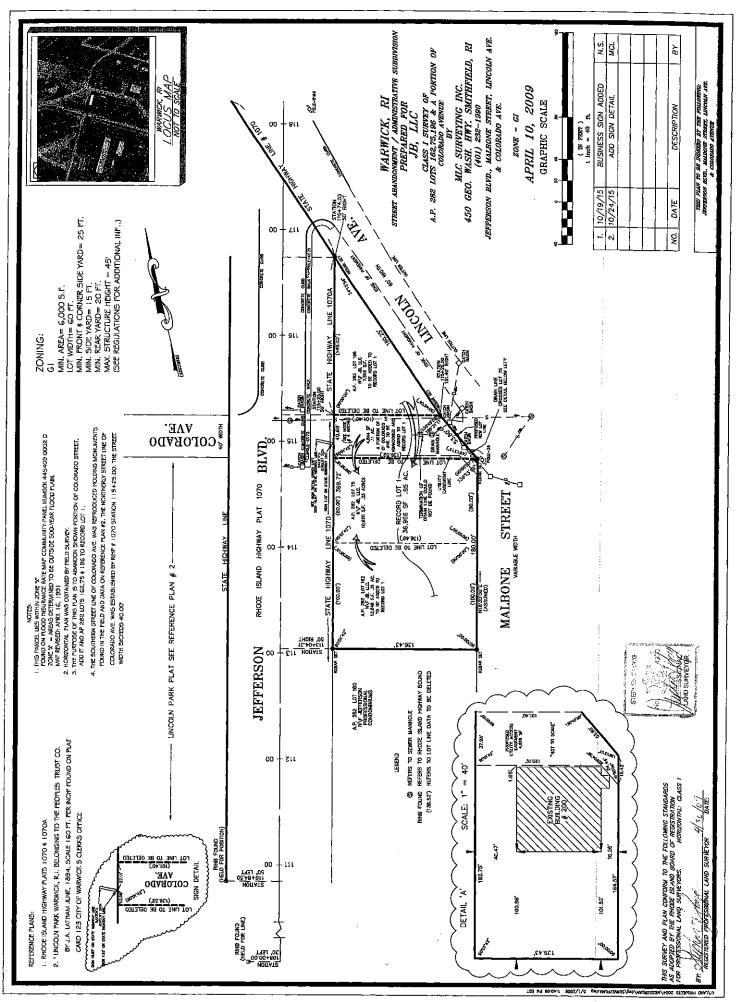
Pursuant to RIGL 45-23.1, the Warwick Planning Board at the April 13, 2016 regularly scheduled meeting, heard the petition for abandonment. After a brief deliberation, on the motion of Mr. Kiernan, seconded by Ms. Siefert and Mr. Horowitz, voted unanimously to forward a positive recommendation to the City Council for the requested abandonment of a portion of Colorado Avenue, with the following stipulations:

- 1. That the City shall maintain the perpetual right to use any or all of the abandonment
 - for the installation of utilities as may be needed in the future.
- 2. That an Administrative Subdivision meeting the standards as set forth in the "Development Review Regulations Governing Subdivisions Land Development Projects Development Plan Review" must be completed by the Applicant and recorded for City Assessor's Plat 282, Assessor's Lots 75, 162, & 196 along with the portion of land acquired by the State of RI, if the abandonment is approved by the City Council.
- 3. Any proposed improvements shall require all applicable local or state permits.

Plat	Lot	Name & Address of Owner
282	68	George C. Daubmann, Jr. Trustee Geo. C. Daubmann, Jr. Rev. Tr. & Carolyn
		Trustee, reve. tr.
		8897 S E Marina Bay Drive, Hobe Sound, Fl 33455
282	75	JB, LLC
Ī	1	200 Jefferson Boulevard
		Warwick , RI 02888
282	110	P.T. Realty LLC
		185 Jefferson Boulevard
		Warwick, RI 02888
282	160.1	Melvin E. Hanzel
		222 Jefferson Boulevard
		Warwick , RI 02888
282	160.2	Roy A. Ragge DMD Inc.
	ļ	222 Jefferson Boulevard, Unit 2
		Warwick, RI 02888
282	160.3	Daniel P. Carter
		222 Jefferson Boulevard
		Warwick, RI 02888
282	160.4	Blue Vista Properties, LLC
		222 Jefferson Boulevard
		Warwick, RI 02888
282	160.5	Roger l. Coutu Jr. Trust
		222 Jefferson Boulevard, Unit 5
		Warwick, RI 02888
282	160.6	Starview Enterprises Inc
		222 Jefferson Boulevard, Unit 6
		Warwick, RI 02888
282	160.7	Mountain Eagle Realty LLC
		222 Jefferson Boulevard, Unit 7
0.00	160.0	Warwick, RI 02888
282	160.8	Francis T. Connor
		222 Jefferson Boulevard
202	1600	Warwick , RI 02888
282	160.9	Marie M. D'Amico Trustee
		145 Laurel Wood
202	162	East Greenwich, RI 02818
282	162	JB, LLC
		200 Jefferson Boulevard
		Warwick, RI 02888
282	163	Jefferson Colorado, LLC
		400 Lincoln Ave
		Warwick, RI 02888

282	181	CNR Properties
	!	222 Lincoln Ave
		Warwick, RI 02888
282	186	JB, LLC
		200 Jefferson Boulevard
		Warwick , RI 02888
282	196	JB, LLC
		200 Jefferson Boulevard
		Warwick , RI 02888
283	34	Noret Realty, Inc.
		241 Lincoln Ave
		Warwick, RI 02888
283	35	Rhode Island Indoor Sports, LLC
		30 Great Road
		Acton, MA 01720
283	181	Hughes & Leas LLC
		180 Jefferson Blvd
		Warwick, RI 02888







CITY OF WARWICK Planning Department 3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

David Olsen, Tax Collector

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 26, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

Date

Signature



MEMORANDUM

TO:

Christopher Celeste, Tax Assessor

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

The Assessor's Office has no issue with the grapused

Abon don ment.

9/4/16 Date

ax Assessor



CITY OF WARWICK **Planning Department** 3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

Eric Earle, City Engineer

Eric Hindinger, Engineer Project Manager

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

The DPW has no objection to this proposal. The City of Warwick must be granted a perpetual easement to maintain and install utilities if necessary.

03/07/2016

Eric Hindinger Signature



MEMORANDUM

TO:

Historic District Commission

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of a portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

NO COMMENTS

3/7/16 Date

Signature

FOR WHOC



CITY OF WARWICK Planning Department 3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289

T.D.D. (401) 739-9150

MEMORANDUM

TO:

Land Trust

FROM:

Lidia Cruz-Abreu, Assistant Administrative Officer/Planning Board

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

no objection

2-1-16 Data SWan Cabeceria



MEMORANDUM

TO:

Janine Burke, Sewer Authority

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

February 1, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

There is sewer infrastructure (sewer main and at least one service connection) within the portion of Colorado Avenue proposed to be abandoned.

The Warwick Sewer Authority will require an easement to ensure the perpetual maintenance of that public infrastructure.

Date

cc:

∕Signature

Benke-Well.

John Hannon, Senior Field Inspector



MEMORANDUM

TO:

Conservation Commission

FROM:

Lidia Cruz-Abreu, Assistant Administrative Officer/Planning Board

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

no objection

Susan Cabeceiras



CITY OF WARWICK Planning Department

3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

Daniel O'Rourke, Water Department

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT: Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

The Water Division has reviewed the proposed abandonment for a portion of Colorado Avenue and has no objection. The Water Division has neither existing utilities nor any future plan to expand the water system to this area.

2/29/16

Date

Signature

William DePasquale, Jr., AICP Planning Director



CITY OF WARWICK Planning Department Road, Annex; Warwick, RI 028

3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

Chief, Fire Department Chief

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

2/4/16 Date Manuel Signature



CITY OF WARWICK Planning Department 3275 Post Road, Annex; Warwick, RI 02886 Tel. (401) 738-2000 Ext. 6289 T.D.D. (401) 739-9150

MEMORANDUM

TO:

Colonel Stephen McCartney, Police Chief

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments: I HAUE NO COMMENT. AREA WAS VIEWED + PRESENTS NO PROBLEM FROM POLICE.

1/29/2016 ·

Signature

MMcCartury



MEMORANDUM

TO:

Historic Cemetery Commission

FROM:

Lidia Cruz-Abreu, Planning Specialist

DATE:

January 28, 2016

SUBJECT:

Abandonment of Portion of Colorado Avenue

no objection

Attached you will find a sketch of a proposed abandonment of Portion of Colorado Avenue. Please review this proposal and forward written comments to this office.

Comments:

2-1-16

SWan (abecerias)
Signature